



PATENT APPLICATION

Docket: 15436.247.51.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
)  
Venna et al. )  
)  
Serial No.: 10/691,376 )  
)  
Confirmation No.: Unknown )  
)  
Filed: October 22, 2003 )  
)  
For: OPTOELECTRONIC SEMICONDUCTOR )  
DEVICE )

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that the following documents are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 20<sup>th</sup> day of November, 2003 :

- Transmittal for Information Disclosure Statement (3 pgs.)
- Information Disclosure Statement (2 pgs.)
- Form PTO-1449 (2 pgs.)
- Copies of thirteen (13) references
- Postcard

Respectfully submitted,

*E-L. Maschoff*

ERIC L. MASCHOFF  
Attorney for Applicant  
Registration No. 36,596  
Customer No. 022913

# WORKMAN NYDEGGER

ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

1000 EAGLE GATE TOWER

60 EAST SOUTH TEMPLE

SALT LAKE CITY, UTAH 84111

TELEPHONE (801) 533-9800

FACSIMILE (801) 328-1707



RICK D. NYDEGGER  
BRENT P. LORIMER  
THOMAS R. VUKSINICK  
LARRY R. LAYCOCK  
JONATHAN W. RICHARDS  
DAVID R. WRIGHT  
JOHN C. STRINGHAM  
JOHN M. GUYNN  
CHARLES L. ROBERTS  
DANA L. TANGREN  
ERIC L. MASCHOFF  
CHARLES J. VEVERKA  
ROBYN L. PHILLIPS  
RICHARD C. GILMORE†  
STERLING A. BRENNAN†  
GREGORY M. TAYLOR  
DAVID B. DELLENBACH  
R. BURNS ISRAELEN  
DAVID R. TODD  
L. DAVID GRIFFIN  
ADRIAN J. LEE  
FRASER D. ROY  
CARL T. REED

R. PARRISH FREEMAN, JR.  
PETER F. MALEN, JR.  
L. REX SEARS, PH.D.  
ERIC M. KAMERATH  
ROBERT E. AYCOCK  
JENS C. JENKINS  
KEVIN W. STINGER  
WILLIAM J. ATHAY  
MICHAEL B. DODD  
WILLIAM R. RICHTER  
RYAN D. BENSON  
SARA D. JONES  
TIGE KELLER  
JANNA L. JENSEN  
MATTHEW D. TODD  
J. LAVAR OLDHAM  
MICHAEL J. FRODSHAM  
JOSEPH L. KRUPA  
BRETT A. HANSEN  
BRETT I. JOHNSON  
MATTHEW A. BARLOW

† ADMITTED ONLY IN CALIFORNIA

PATENT APPLICATION  
Docket No: 15436.247.51.1

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MAILING ADDRESS:  
P.O. BOX 45862  
SALT LAKE CITY, UT 84145

INTERNET

HOME PAGE: <http://www.wnpatent.com>  
GENERAL E-MAIL: [info@wnpatent.com](mailto:info@wnpatent.com)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Venna et al.

Serial No.:

10/691,376

Confirmation No.:

Unknown

Filed:

October 22, 2003

For:

OPTOELECTRONIC SEMICONDUCTOR  
DEVICE

## TRANSMITTAL FOR INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is an Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

- Statement of relevance of selected cited references not in the English language which are not translated.
- Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.

\_\_\_\_ Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

X Form PTO-1449 listing thirteen (13) references submitted for consideration.

X Copies of thirteen (13) of the references listed on the Form PTO-1449.

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

I. X Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.

II. \_\_\_\_ Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:

\_\_\_\_ Promptness Certification; or

\_\_\_\_ Check No. \_\_\_\_\_ in the amount of \$180.00 constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

III. \_\_\_\_ After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

\_\_\_\_ Promptness Certificate;

\_\_\_\_ Petition for Consideration; and

\_\_\_\_ Check No. in the amount of \$\_\_\_\_\_ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

IV. \_\_\_\_ After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

\_\_\_\_ Petition to Withdraw from Issue; and

\_\_\_\_\_ Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

X Any fee required in relation to filing of this letter or any documents transmitted therewith.

\_\_\_\_\_ The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).

\_\_\_\_\_ The submission fee set forth in 37 C.F.R. § 1.17(p).

\_\_\_\_\_ The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 20<sup>th</sup> day of November, 2003.

Respectfully submitted,



ERIC L. MASCHOFF  
Attorney for Applicant  
Registration No. 36,596  
Customer No. 022913



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Docket No: 15436.247.51.1

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Filed:	October 22, 2003	)
		)
For:	OPTOELECTRONIC SEMICONDUCTOR DEVICE	)
		)
Examiner:	Unknown	)

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record

believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each non-English reference, if any, are also enclosed.

DATED November 20, 2003.

Respectfully submitted,



ERIC L. MASCHOFF  
Attorney for Applicant  
Registration No. 36,596  
Customer No. 022913

Applicant: Venna et al.

Serial No.: 10/691,376

Att'y Docket No.: 15436.247.51.1

Filing Date: October 22, 2003

Group: Unknown

For: OPTOELECTRONIC SEMICONDUCTOR DEVICE

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
____ 1	3,467,906	09/16/69	Cornely et al.
____ 2	3,828,231	08/06/74	Yamamoto
____ 3	4,794,346	12/27/88	Miller
____ 4	5,305,412	04/19/94	Paoli
____ 5	5,436,759	07/25/95	Dijaili et al.
____ 6	5,604,628	02/18/97	Parker et al.
____ 7	5,805,322	09/08/98	Tomofuji

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>
____ 8	56006492	01/23/81	Japan
____ 9	01129483	05/22/89	Japan

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Venna et al.

Serial No.: 10/691,376

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Filing Date: October 22, 2003

Group: Unknown

For: OPTOELECTRONIC SEMICONDUCTOR DEVICE

Other Documents

(including author, title, pertinent pages, etc.)

Examiner

Initial\*

- \_\_\_\_\_ 10     *"A Gain-Clamped, Crosstalk Free, Vertical Cavity Lasing Semiconductor Optical Amplifier for WDM Applications,"* by J.D. Walker, F.G. Patterson, S.P. Dijaili, R.J. Deri, Lawrence Livermore National Library
- \_\_\_\_\_ 11     *"Gain Optimization in Switches Based on Semiconductor Optical Amplifiers,"* by Gibong Jeong and Joseph W. Goodman, IEEE Journal of Lightwave Technology, Vol. 13, No. 4, April 1995
- \_\_\_\_\_ 12     *"Spot-Size Converted Polarization-Insensitive SOA Gate with a Vertical Tapered Submicrometer Stripe Structure,"* by N. Yoshimoto, K. Magari, T. Ito, Kawaguchi, K. Kishi, Y. Kondo, Y. Kadota, O. Mitomi, Y. Yoshikuni, Y. Hasumi, Y. Tohmori and O. Nakajima, IEEE Photonics Technology Letters, Vol. 10, No. 4, April 1998
- \_\_\_\_\_ 13     *"Spot-Size Converter Integrated Semiconductor Optical Amplifiers for Optical Gate Application,"* by Shotaro Kitamura, Hiroshi Hatakeyama, Kiichi Hamamoto, Tatsuya Sasaki, Keiro Komatsu and Masayuki Yamaguchi, IEEE Journal of Quantum Electronics, Vol. 35, No. 7, July 1999

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Examiner:

Date Considered:

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Filing Date: October 22, 2003

Group: Unknown

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**References Cited by Applicants**

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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Examiner:

Date Considered:

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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